G. R. S. IX-5]

Previous references.

Govt Notif no
R 4520 Dy 12-4-02
Gool 2-15-158.

Later references.

Gool 47-16
" 54-18
" 46-24 (1,2,5)
" 70-32 (1-2)

1915-16

(Gool)

File No. 74-15

Serial Nos. 1 – 6(c)

Preserve

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 – 6(c)

Part B for October 1916.

SUBJECT.

The question whether clay of superior quality may be treated as a mineral for which a prospecting license or a mining lease can be granted

---

To The Director dept of Mines & Geology
The Revenue in Mysore
No G 2022-3 Dy 28-8-16.
points that china clay or Kaolin may be treated as a mineral

To the compiler, Mysore Gazette. No or 4476 Dy 2-10-16.
Notifies that clay may be added to the list of ordinary minerals.

W D 88—GPB—50,000—24-7-16

R. S. 11] 1915-16.

GENERAL AND REVENUE SECRETARIAT.

(Geology)

NOTES.

File No. 74-15

FILE HEADING.

The question whether clay of superior quality may be treated as a mineral for which a prospecting license or a mining lease can be granted.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

Mrl. 1316-15
G.

NOTES—First Sheet.

G. R. S. 12]

General and Revenue Secretariat. | Geol File No. 74 of 1915-16

Serial No.

File No.

Extract from Geol. 2-15-115

× × × × × × × ×

2) Some difference should be recognised between ordinary clay useful only for the agriculturist or for ordinary bricks & tiles and clay of superior quality for china etc - just as in the case of ordinary quartz & auriferous quartz, corundum & ruby corundum etc -

3) If the director is satisfied after analysis and other tests that clay is of a superior quality, it should be brought within the scope of the Rules for the grant of Licences and Leases.

Gl Secy). (Initd). B.S. 24-4-16.

4) Under the existing orders of Govt, the application for a prospecting license for Kaolin is inadmissible. It should be made to the Dy Com under the Land Revenue Rules, & for this purpose, difference in quality of the clay is not recognised. × × ×

× × × × × × × ×

5) At the same time, there is some force in the observations of the director and the general question raised by him again may be separately considered in consultation with the Revenue Commissioner & Deputy Commissioners, if approved

(Sd) D. M. Narasinga Rao 5/5

First Member).

(Initd) B.S. 5/5/16.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

Mdl 1316-15

3

G. R. S. 12]

General and Revenue Secretariat. | Gen File No. 74 of 1915-16

Serial No.

6) The Director's views that clay is not mentioned as an ordinary mineral in the notification of 12-4-1902 and therefore should be regarded as a mineral cannot be accepted

7) Clay is evidently not intended to be treated specially even as lime stone or granite is treated now under the rules. It is not extracted by any process of mining and I dont see how prospecting licenses or mining leases can be granted in respect of them.

8) It is hard to decide the general question raised definitely as above.

9) As however the applicant wants to dig deep to excavate like gravel or stone for building purposes he may be given right to extract on payment of a certain rate per unit - to be fixed in consultation with the Revenue Commissioner. The Appl is a novel one & relates to a possible development of a totally new industry and as such may be dealt with by Govt as a special case & not under the rules in force for ordinary clay.

(Intd) A.R.B.
7-5-16.

x x x x x

10) Submitted with a draft.

Ags. 26-6-16.

11) Done 27/6-16

NOTE—Contn. sheet.

GPB—70,000—17-12-15

B4

G. R. S. 12]

General and Revenue Secretariat. | Geol File No. 74 of 1915-16.

Serial No.	
1.	To The Rev. Commr & by Comm[rs] of circ No Ca: 171-9 dt 6.7.16. Forwards an extract from Mem no: 3143 dt 5/7/16 from the Director, dept of Mines & Geol propos-ing that Clay may be treated as mineral for which P.L. or mining lease can be granted & requests the favour of opinion in the matter.
Ref.	
2	From The Revenue Commissioner No C 118 dt 20-7-16. Furnishes his opinion regarding the facilities required for the exploitation of clay.
3	From the Dy Com, Kolar dt No. 105 dt 19-7-16. States that clay or kaolin may be treated as a mineral for which a P.L or mining lease can be granted
4	From the Dy Com, Shimoga dt No. 74 dt 1/3-8-16. Same as above (Pl 3).

Replies from other D.C.'s are awaited

12) Mines Inspr reports that clay or Kaolin may be treated as mineral.

13) State Govt to appl. —

See note dt 12th April 1907 re mineral questions

Put up

Submitted in Paper marked B

The

NOTE—Contn. sheet.

GPB—70,000—17-12-15

5

1102

G. R. S. 12]

General and Revenue Secretariat. | Gol File No. 74 of 1915-16.

Serial No.

Question whether Clay is a mineral incidentally came up for consideration while the application of the S. Indian Industrials Ltd for the lease of some Lands over which they had applied for a license for Clay & after consulting the Law Advocate the Council came to the conclusion Clay was not a mineral within the Scope of S. 38 of the L. R. Code. — Please see Papers A in linked file. — & the discussion thereon If the decision is to be adhered to the case appears to be a Council Case

First Member — 22/8-16

198 23.8

14) Chena clay Madras 4 Rs 6/61 from ordinary clay. 24.8

15) Clay may be added to the list which includes sand stone & earth &c. Changed as resolved on the notification dt 12.4.1902 — 24.8

16) Letter drafted by First Member — to be sent with this file to Secy. for favour of signature — Application sent up a draft notification 24/8-16

Office note in Gol Secret file 57 of 1913-14

NOTE—Contn. sheet.

GPB—70,000—17-12-15

M 1316-15 1102 6

G. R. S. 12]

General and Revenue Secretariat. | Geol File No. 74 — of 1915.

Serial No.

To. The Director of Mines.
" Rev. Commr.
Mem: 2822-3 Dy 28.8.16.

Directs that Kaolin or China Clay be treated as a mineral within the meaning of Section 38 of the Land Rev. Code & coming within the Scope of Minerals for the grant of P.L.s.

17) A draft notification as directed is put up. —

18) The rate of fees to be levied for the removal of clay from Govt lands under Rule 18 of the Rules under the Mysore Land Revenue Code has to be fixed in consultation with Branch I.

AUS 6-9-16. 19) The privilege is asked for applied. China clay is now allowed to be prospected for under rules for grant of Prospecting licences. The question of fee under Revenue Rules does not seem to arise.

229 / 23-9-16. Second Member — 23/9-16

20) Agreed 25-9

21) To me 25/9-16

6(c) To the Comptr, Mysore Gazette. No G 4476 Dy 2-10-16. Notifn that clay may be added to the list of Ordinary minerals, published in Notifn no R 4520 Dy 12-4-02 which shall be exempt from the Probey restrictions.

To the Director, Mines & Geology. No G 4477 Dy 2-10-16. Forwards copies of the above.

15.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

7

G. R. S. 26] 27/6

Geol File No. 74-15

Serial No. 1

Diary No. of letter replied to .....

No. G 171-9
Encl one

General and Revenue Secretariat

( )

, *the* 191 .

To

The Revenue Commissioner in Mysore.

The Deputy Commissioners of Dts.

Date of issue 6-7-1916.

Signed by M B L Rao

Sir,

※ paragraphs 3 & 6.

I am directed to forward herewith an extract ※ from letter no 3143 dt 5th April 1916 received from the Director, Dept of Mines and Geology, proposing that clay may be treated as a mineral for which a prospecting license or a mining lease can be granted; and to request you to be so good as to favour Govt with your opinion in the matter.

I have etc.

Secy to Govt over.
Encl wrapt.

SUBJECT 15

1.10

Extract from letter No.6143 dated 5th April 1916 from the Director, Department of Mines and Geology, to the Secretary to Government, General Department.

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3. The present application ..... for China - Clay which should be treated in a different way from the ordinary clay for which temporary permits are issued by the Deputy — Commissioners under Rule 19 of the Mysore Land Revenue Rules.

4. I have already pointed out in paras 3 to 5 of my Note No.38, dated 10th October 1914, ... that clay should be regarded as a mineral within the meaning of Section 38 of the Mysore Land Revenue Code; and the fact that it is not included in the list of ordinary minerals ------ notified as exempt from the said Section of the Code (Vide Notification No.4520, dated 12th April 1902) is in accordance with my view.

5. Irrespective of the question whether clay is, or is not, one of the minerals the right to which is reserved or resumed by Government, there is, I believe, nothing to preclude ------ Government from disposing of the right to ordinary minerals in Government lands under prospecting licenses or mining leases in the same way as minerals to which the exclusive right is ------ reserved by Government under Section 38 of the Land Revenue Code. This would not involve any interference whatever by Government with the rights of Inamdars to the ordinary minerals in their villages, and the Government are, I think, quite at liberty to dispose of the minerals, ordinary or otherwise, in Government lands in any way they think best. I would suggest therefore that the issue of prospecting licenses and mining leases may generally be extended to all ordinary minerals — occurring in Government lands. In issuing such licenses and leases, however, due regard will, of course, be paid to the provisions of Rules 18, 19 and 20 of the Mysore Land Revenue

Rules

Rules, so as not to interfere with the privileges of villagess in respect of the minerals required by them for their <u>own</u> -- <u>bona fide</u> domestic or agricultural purposes and the Deputy Commissioners concerned consulted before any lease or license is issued. This is a very important matter and I beg to --- submit it therefore for the favourable consideration and ---- orders of Government.

6. .... At the present time there is a more than usually favourable market for China-Clay or Kaolin. A considerable amount of intelligent and careful prospecting work is required involving the expenditure of a large amount of capital and treatment of material by ---- various processes. The temporary permits now issued by the Deputy Commissioners under Rule 19 of the Revenue Rules are of a very uncertain nature and are not suitable. A regular prospecting license or a mining lease which gives the capitalist certain definite assurances from Government is necessary to justify the considerable expenditure which will be required.

There can be no question that China-Clay will have to be obtained by mining methods and not mere surface --- collections. It is not included in the list of ordinary minerals published under Section 38 Proviso 1 of the Mysore Land Revenue Code and there is, in my opinion, no reason for refusing to grant licenses and leases in respect of it.

These reasons induce me to urge that the right to China-Clay should be disposed of under prospecting licenses in ---- preference to the ordinary permits issued by the Deputy ----- Commissioners.

10

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Bangalore, 20 ~~17th~~ July 1916

No. C 118
2

DIARY NO. 658

FROM

1915-1916
SECTION Geol
FILE NO. 74-15
SER. 2

K. Doraswami Iyer Esquire,
Revenue Commissioner in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
R e v e n u e *Department.*

SIR,

With reference to your letter No. G.171-9/Geol. 74-15-1 dated the 6th instant asking for my opinion as to whether clay may be treated as a mineral for which a prospecting license or a mining lease can be granted, I have the honor to state that a copy of the Director's letter No. 3143 dated the 5th April 1916 to you had already been received in this office with his letter No. 3631 dated the 22nd May 1916 and that a reply was sent to him with letter No. 17370 dated the 29th June 1916. Copies of both these letters are enclosed for the information of Government.

2. Treating clay as a mineral within the operation of section 38 of the Land Revenue Code will involve the denial to owners of occupied lands of their right to exploit this material on their lands without charge, so long

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as they do not render them unfit for agricultural purposes. Clay is not so valuable as to justify such resumption of rights.

3. The arrangement suggested in this office letter to the Director provides all reasonable facilities required for the exploitation of clay in Government unoccupied lands

I have the honor to be,

Sir,

Your most obedient servant,

Revenue Commissioner.

R.S.

Letter No. 3631 dated the 22nd April 1916 from the Director, Department of Mines and Geology, to the Revenue Commissioner in Mysore.

I have the honor to forward herewith for your information copies of the marginally noted communications relating to two applications - one from Mr. Chaturbhai V. Amin of Ahamadabad and the other from Mr.V. Manickavelu Mudaliar, 3, Old Tumkur Road, Bangalore City, for a prospecting license for Kaolin or China Clay over certain lands in the Nelamangala Taluk, Bangalore District.

1. Letter No. 3143 dated 5th April 1916 from the Director, Department of Mines and Geology to the Secretary to Government, General Department.
2. Letter No. G.15523/Geol.2-15-127 dated 15th May 1916 from the Secretary to Government, General Department to the Director.

2. In view of the fact that China Clay requires a considerable amount of intelligent and careful prospecting work involving the expenditure of a large amount of capital and treatment of material by various processes and that it has also to be obtained by mining methods and not mere surface collection, I recommended the issue of a prospecting license in lieu of the temporary permits issued by the Deputy Commissioners for ordinary clay under Rule 19 of the Mysore Land Revenue Rules. But the Government deem it inexpedient to treat clay of any kind as a mineral for which a prospecting license or a mining lease can be granted. They also consider that in the case of the present applications it will be sufficient to permit the extraction of clay by deep excavations on payment of a certain rate per unit and have asked me to submit for their orders definite proposals in the matter in consultation with you.

3. I shall be glad if you will favour me with your views in the matter particularly in regard to:-

(a) the kind of permit to be issued:

(b) the authority by whom it is to be issued;

(c) the duration of the permit and security of tenure;

(d) the rate per ton which you would propose to charge on the clay to be extracted.

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4. In the meantime, I also enclose a copy of a letter from Mr. V.Manickavelu Mudaliar, asking for permission to take out some waggon loads of the clay for experimental purposes. In my opinion it would be a good thing to accede to this request and to fix some ad interim charge on the material to be removed - say 4 annas per ton of crude clay or annas 12 per ton of washed kaolin. In this way we might get some idea of what the work will be like and of the nature of a suitable and more permanent permit, charges &c. Prices are high now and may justify the experimental work, but the opportunity may pass if we wait to get all details settled before giving permission to start some work.

" C O P Y "

For Revenue Commissioner.

Letter No. 17370 dated the 29th June 1916 from the Revenue Commissioner in Mysore to the Director, Departments of Mines and Geology.

With reference to your letter No. 3631 dated the 22nd May 1916 asking for an expression of my opinion in the matter of the issue of permits for the extraction of clay, I have the honor to state that, as the undertaking is represented to involve the expenditure of a large amount of capital, it is necessary to afford some guarantee as regards tenure to persons venturing on this business. Keeping in view this point and also the decision of Government that clay should not be classed as a mineral, the following suggestions are made in respect of the points raised in para (3) of your letter under reference:-

(a) The permit may be in the form of a lease deed, the wording of which may be settled after the other details receive Government sanction.

(b) The deed may be issued by the Deputy Commissioner of the District under Rule 18 of the Land Revenue Rules.

(c) The lease may be for one year or for a period of ten years at the option of the applicant. The lessee may have the first refusal on each subsequent occasion, unless a Government department or factory takes up the exploitation of the material

(d) To start with the rate may be fixed at 4 annas per ton of crude clay or 12 annas per ton of washed kaolin, whichever is higher. These rates may be altered by the Deputy Commissioner on the advice of the Director of Mines and Geology on the expiration of each period of lease.

(e) The above rates will be in addition to land revenue payable on the lands in respect of which the lease deed is issued.

2. As regards the application from Mr. V.Manickavelu Mudaliar I agree to the proposals made in para (4) of your letter. The Deputy Commissioner Bangalore District has this day been asked to issue a permit to him in consultation with you for the removal of

15

fixed quantity of clay.

" C O P Y " .

For Revenue Commissioner.

R. C. 4.

From

K. Doraswami Iyer Esquire,

Revenue Commissioner in Mysore.

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,
Revenue *Department.*

Dated 20 ~~17th~~

Despatched July 1916

Received

General No. C 118

Enclosure No. 2

SUBJECT.

Furnishes opinion regarding the kind of permission required for the exploitation of clay.

Deputy Commissioner's Office,
Kolar District,
Dated Kolar, The 19th July 1916. DIARY NO. 717

	1915-1916
SECTION	Geol
FILE NO.	74-15
SERIAL NO.	3

From

P. T. Bowring, Esqr. I.C.S.,
Deputy Commissioner, Kolar District.

To

D. M. Narasinga Rao, Esqr. B.A; B.L;
Secretary to the Government of Mysore,
General department, Bangalore.

Sir,

With reference to your letter No. G. 171-9/Geol: 74-15-1 dated 6th Instant, Calling for my opinion on the question whether clay may be treated as a mineral for which a prospecting license can be granted, I have the honor to state that China clay or Kaolin may be included as a mineral for the purpose of granting prospecting licenses as proposed in the above.

I have the honor to be,
Sir,
Your most obedient Servant,

for Venkatesa Iyengar
for Deputy Commissioner
Kolar District

GPB—50,000—17-9-15

19

From

Deputy Commissioner.
Kolar District.

To

The Secretary to the Govt
of Mysore, General Deptt
Bangalore.

Dated

Despatched 19th July 1916.

Received

General No. D dis 605

No.

Enclosure No.

---

proposing That China
Clay or Kaolin may be in-
cluded as a mineral for the
purpose of granting —
license.

Stamps

18

M.C. 74 (Rev)

Office of the Deputy Commissioner,

Dated Shimoga 1st August 1916.

DIARY NO. 1102

1915-1916
SECTION Genl
FILE NO 74-15
SERIAL NO. 4

From

A. Subramanya Iver, Esquire, B.A.,
Deputy Commissioner,
Shimoga District.

To

D.V. Narasimha Rao, Esquire, B.A.B.L.,
Secretary to the Government of Mysore,
General Department,
Bangalore.

Sir,

With reference to your letter No.G.171-9/G.M.74-15-1 dated 8th July 1916 calling for my opinion whether clay may be treated as a mineral and leased out I have the honor to state that there seems to be no objection to lease out clay either for prospecting or mining if being treated as a mineral.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner,
Shimoga District.

GPB—50,000—17-9-15

19[illegible]-17.

4 AUG 1916

From

The Deputy Commissioner,

Shimoga District.

To

The Secretary to the Government of Mysore
General Department,

Bangalore.

Dated 2nd August 1916.

Despatched 3/-

Received

General No. M.C.74(Rev)

No.

Enclosure No.

States that there seems to be no objection to lease out clay etc. for prospecting or mining it being treated as a mineral.

V 2418 S 8 19

G.R.S. 28]

File No. Geol 74-15.
Serial No. 5

*Diary No. of letter replied to*_____

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

, *the* 191 .

M

Date of issue 28.8.16.

Signed by Hon. Dr Narasimha Rao

READ—

Letter No 3143 dt 5th April 1916 from the Director of the Dept of Mines & Geology recommending the grant of Prospecting Licences for China-clay (Kaolin) in lieu of permits issued by Dr Commrs for

ORDER THEREON.—No.

Extraction of Clay as China Clay is not included in the list of ordinary minerals Exempted from S. 38 of the Land Rev Code and the Exploitation of China Clay

over.

SUBJECT.

GPB—50,000—1-12-12

involves a considerable amount
of intelligent & careful prospecting
and expenditure of a large
amount of capital and
treatment by various processes.
(2) Letter No. C 118 of 20th July 1916 from the Rev. Gunn
in Rhyme stating that
treating Clay as an ordinary
mineral within the operation
of S. 38 of the Land Rev Code
will involve the denial
to owners of occupied lands
of their right to exploit
their material on their lands
without charge and that
clay is not so valuable
a mineral as to justify
such resumption of rights
under G 2822-3

just one pleases to
think that Kaolin or
China-Clay be treated
as a mineral within the

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

meaning of Section 38 of the Land Rev Code and coming within the scope of minerals for the purpose of prospecting grant of licenses.

To the District Deputy of Mines Inspectors under Rev Control in Mysore.

GPB—20,000—7-7-14

No. G. 2822-3—GEOL. 74-15-5, DATED 28TH AUGUST 1916.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

READ—

Letter No. 3143, dated 5th April 1916, from the Director of the Department of Mines and Geology, recommending the grant of Prospecting Licenses for China-clay (Kaolin) in lieu of permits issued by Deputy Commissioners for extraction of clay as China-clay is not included in the list of ordinary minerals exempted from S. 38 of the Land Revenue Code and the exploitation of China-clay involves a considerable amount of intelligent and careful prospecting and expenditure of a large amount of capital and treatment by various processes.

2. Letter No. C. 118, dated 20th July 1916, from the Revenue Commissioner in Mysore, stating that treating clay as an ordinary mineral within the operation of S. 38 of the Land Revenue Code will involve the denial to owners of occupied lands of their right to exploit this material on their lands without charge and that clay is not so valuable a mineral as to justify such resumption of rights.

Order No. G. 2822-3—Geol. 74-15-5, dated 28th August 1916.

Government are pleased to direct that Kaolin or China-clay be treated as a mineral within the meaning of Section 38 of the Land Revenue Code and coming within the scope of minerals for the grant of Prospecting Licenses.

D. M. NARASINGA RAO,
Secy. to Govt., Gen. Dept.

To—The Director, Department of Mines and Geology.
The Revenue Commissioner in Mysore.

Exd.—C. R.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. G. 2822-3—Geol. 74-15-5, dated 28th Aug. 1916

Kaolin or China-clay.

Directs that — be treated as a mineral within the meaning of Section 38 of the Land Revenue Code and coming within the scope of minerals for the grant of Prospecting Licenses.

W. D. 786—GPB—15-9-16—310

G. R. S. 26]

Diary No. of letter replied to .....

General and Revenue Secretariat
( )
, *the* 191 .

Date of issue 2.12.15

Signed by M. B. L. Rao

ale

Geol File No. 74-15
Serial No. 669

No. G 4476

~~To~~

Notification.

Under Section 38, proviso (1), of the Mysore Land Revenue Code, the Govt of His Highness the Maharaja of Mysore are pleased to direct that clay ~~may~~ be added to the list of ordinary minerals, published in Govt Notification no R 4520 dated 12th April 1902, and which shall be exempt from the scope of Section 38.

By order

2/5/15

Secy to Govt
Genl Dept.

To the compiler, Mysore Gazette.

P.T.O.

SUBJECT.

Memo. 2-10-46.

Copy of the above is forwarded to

The Director, Dept of Mines & Geology
The Revenue Commissioner in Mysore for information.

By order.

Secy to Govt
PC Dept.

List of enclosures

Copied by

Examined by

GPB—20,000—10-10-14